#### Senate



General Assembly

File No. 416

February Session, 2008

Substitute Senate Bill No. 174

Senate, April 3, 2008

The Committee on Human Services reported through SEN. HARRIS of the 5th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

# AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- Section 1. Section 17a-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):
- 3 (a) The department shall plan, create, develop, operate or arrange for, administer and evaluate a comprehensive and integrated 4 5 state-wide program of services, including preventive services, for 6 children and youths whose behavior does not conform to the law or to acceptable community standards, or who are mentally ill, including 8 deaf and hearing impaired children and youths who are mentally ill, emotionally disturbed, substance abusers, delinquent, abused, 10 neglected or uncared for, including all children and youths who are or 11 may be committed to it by any court, and all children and youths 12 voluntarily admitted to, or remaining voluntarily under the 13 supervision of, the commissioner for services of any kind. Services

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shall not be denied to any such child or youth solely because of other complicating or multiple disabilities. The department shall work in cooperation with other child-serving agencies and organizations to provide or arrange for preventive programs, including, but not limited to, teenage pregnancy and youth suicide prevention, for children and youths and their families. The program shall provide services and placements that are clinically indicated and appropriate to the needs of the child or youth. In furtherance of this purpose, the department shall: (1) Maintain the Connecticut Juvenile Training School and other appropriate facilities exclusively for delinquents; (2) develop a comprehensive program for prevention of problems of children and youths and provide a flexible, innovative and effective program for the placement, care and treatment of children and youths committed by any court to the department, transferred to the department by other departments, or voluntarily admitted to the department; (3) provide appropriate services to families of children and youths as needed to achieve the purposes of sections 17a-1 to 17a-26, inclusive, as amended by this act, 17a-28 to 17a-49, inclusive, and 17a-51; (4) establish incentive paid work programs for children and youths under the care of the department and the rates to be paid such children and youths for work done in such programs and may provide allowances to children and youths in the custody of the department; (5) be responsible to collect, interpret and publish statistics relating to children and youths within the department; (6) conduct studies of any program, service or facility developed, operated, contracted for or supported by the department in order to evaluate its effectiveness, and for any new such program, service or facility established after July 1, 2008, whose funding exceeds twenty million dollars in a single fiscal year, require an external evaluation to analyze and assess the outcomes of the program, service or facility; (7) establish staff development and other training and educational programs designed to improve the quality of departmental services and programs, provided no social worker trainee shall be assigned a case load prior to completing training, and may establish educational or training programs for children, youths, parents or other interested persons on

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any matter related to the promotion of the well-being of children, or the prevention of mental illness, emotional disturbance, delinquency and other disabilities in children and youths; (8) develop and implement aftercare and follow-up services appropriate to the needs of any child or youth under the care of the department; (9) establish a case audit unit to monitor each area office's compliance with regulations and procedures; (10) develop and maintain a database listing available community service programs funded by the department; (11) provide outreach and assistance to persons caring for children whose parents are unable to do so by informing such persons of programs and benefits for which they may be eligible; and (12) collect data sufficient to identify the housing needs of children served by the department and share such data with the Department of Economic and Community Development.

[(b) The department shall prepare and submit biennially to the General Assembly a five-year master plan. The master plan shall include, but not be limited to: (1) The long-range goals and the current level of attainment of such goals of the department; (2) a detailed description of the types and amounts of services presently provided to the department's clients; (3) a detailed forecast of the service needs of current and projected target populations; (4) detailed cost projections for alternate means of meeting projected needs; (5) funding priorities for each of the five years included in the plan and specific plans indicating how the funds are to be used; (6) a written plan for the prevention of child abuse and neglect; (7) a comprehensive mental health plan for children and adolescents, including children with complicating or multiple disabilities; (8) a comprehensive plan for children and youths who are substance abusers, developed in conjunction with the Department of Mental Health and Addiction Services pursuant to the provisions of sections 19a-2a and 19a-7; and (9) an overall assessment of the adequacy of children's services in Connecticut. The plan shall be prepared within existing funds appropriated to the department.

(b) (1) The department, with the assistance of the State Advisory

83 Council on Children and Families, and in consultation with 84 representatives of the children and families served by the department, providers of services to children and families, advocates, and others 85 86 interested in the well-being of children and families in this state, shall 87 develop and regularly update a single, comprehensive strategic plan 88 for meeting the needs of children and families served by the 89 department. In developing and updating the strategic plan, the 90 department shall identify and define agency goals and indicators of progress, including benchmarks, in achieving such goals. The strategic 91 92 plan shall include, but not be limited to: (A) The department's mission 93 statement; (B) the expected results for the department and each of its 94 mandated areas of responsibility; (C) a schedule of action steps and a time frame for achieving such results and fulfilling the department's 95 mission that includes strategies for working with other state agencies 96 97 to leverage resources and coordinate service delivery; (D) priorities for 98 services and estimates of the funding and other resources necessary to 99 carry them out; (E) standards for programs and services that are based on research-based best practices, when available; and (F) relevant 100 101 measures of performance.

(2) The department shall begin the strategic planning process on July 1, 2008. The department shall hold regional meetings on the plan to ensure public input and shall post the plan and the plan's updates and progress reports on the department's web site. The department shall submit the strategic plan to the State Advisory Council on Children and Families for review and comment prior to its final submission to the General Assembly and the Governor. On or before July 1, 2009, the department shall submit the strategic plan, in accordance with section 11-4a, to the General Assembly and the Governor.

(3) The commissioner shall track and report on progress in achieving the strategic plan's goals not later than October 1, 2009, and quarterly thereafter, to said State Advisory Council. The commissioner shall submit a status report on progress in achieving the results in the strategic plan, in accordance with section 11-4a, not later than July 1,

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117 2010, and annually thereafter to the General Assembly and the

- 118 Governor.
- (c) The department shall prepare a plan to keep children who are
- 120 convicted as delinquent and will be committed to the Department of
- 121 Children and Families and placed in the Connecticut Juvenile Training
- 122 School in such facility for at least one year after their referral to the
- department, which plan shall include provisions for development of a
- 124 comprehensive approach to juvenile rehabilitation.
- Sec. 2. Subsection (b) of section 17a-6 of the general statutes is
- repealed and the following is substituted in lieu thereof (*Effective July*
- 127 1, 2008):
- 128 (b) Administer in a coordinated and integrated manner all
- institutions and facilities which are or may come under the jurisdiction
- of the department and [may] shall appoint advisory groups for any
- 131 such institution or facility.
- Sec. 3. (NEW) (Effective July 1, 2008) (a) The facilities that come
- under the jurisdiction of the Department of Children and Families, as
- enumerated in section 17a-32 of the general statutes, shall submit an
- annual report to the State Advisory Council on Children and Families
- and to their respective advisory groups, established pursuant to
- subsection (b) of section 17a-6 of the general statutes, as amended by
- this act. The report shall include, but not be limited to: (1) Aggregate
- profiles of the residents; (2) a description of and update on major
- initiatives; (3) key outcome indicators and results; (4) costs associated
- 141 with operating the facility; and (5) a description of educational,
- vocational and literacy programs, and behavioral, treatment and other
- services available to the residents and their outcomes. Each report
- 144 submitted pursuant to this subsection shall be posted on the
- 145 department's web site.
- (b) Such advisory groups shall respond to their facility's annual
- 147 report, as required by subsection (a) of this section, and provide any
- 148 recommendations for improvement or enhancement that they deem

- 149 necessary.
- 150 (c) The Department of Children and Families shall serve as 151 administrative staff of such advisory groups.
- Sec. 4. Section 17a-27f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):
- [(a) The Department of Children and Families shall establish a public safety committee in the municipality in which the Connecticut Juvenile Training School is located. The committee shall be composed of the superintendent of said school and representatives appointed by the chief elected official of the municipality. The committee shall meet not less than quarterly to review safety and security issues which affect the host municipality.]
- [(b)] At the time the Connecticut Juvenile Training School becomes operational, the Department of Children and Families shall ensure that a community security and alert system [shall be] is functional.
- Sec. 5. Section 46a-13*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):
- 166 (a) The Child Advocate shall:
- 167 (1) Evaluate the delivery of services to children by state agencies 168 and those entities that provide services to children through funds 169 provided by the state;
- 170 (2) Review periodically the procedures established by any state 171 agency providing services to children to carry out the provisions of 172 sections 46a-13k to 46a-13q, inclusive, with a view toward the rights of 173 the children and recommend revisions to such procedures;
  - (3) Review complaints of persons concerning the actions of any state or municipal agency providing services to children and of any entity that provides services to children through funds provided by the state, make appropriate referrals and investigate those where the Child

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Advocate determines that a child or family may be in need of assistance from the Child Advocate or that a systemic issue in the state's provision of services to children is raised by the complaint;

- (4) Pursuant to an investigation, provide assistance to a child or family who the Child Advocate determines is in need of such assistance including, but not limited to, advocating with an agency, provider or others on behalf of the best interests of the child;
- 185 (5) Periodically review the facilities and procedures of any and all 186 institutions or residences, public or private, where a juvenile has been 187 placed by any agency or department;
- 188 (6) Recommend changes in state policies concerning children 189 including changes in the system of providing juvenile justice, child 190 care, foster care and treatment;
- 191 (7) Take all possible action including, but not limited to, conducting 192 programs of public education, undertaking legislative advocacy and 193 making proposals for systemic reform and formal legal action, in order 194 to secure and ensure the legal, civil and special rights of children who 195 reside in this state:
  - (8) Provide training and technical assistance to attorneys representing children and guardians ad litem appointed by the Superior Court;
- (9) Periodically review the number of special needs children in any foster care or permanent care facility and recommend changes in the policies and procedures for the placement of such children;
- 202 (10) Serve or designate a person to serve as a member of the child 203 fatality review panel established in subsection (b) of this section; and
- 204 (11) Take appropriate steps to advise the public of the services of the 205 Office of the Child Advocate, the purpose of the office and procedures 206 to contact the office.

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(b) There is established a child fatality review panel composed of thirteen permanent members as follows: The Child Advocate, or a designee; the Commissioners of Children and Families, Public Health and Public Safety, or their designees; the Chief Medical Examiner, or a designee; the Chief State's Attorney, or a designee; a pediatrician, appointed by the Governor; a representative of law enforcement, appointed by the president pro tempore of the Senate; an attorney, appointed by the majority leader of the Senate; a social work professional, appointed by the minority leader of the Senate; a representative of a community service group appointed by the speaker of the House of Representatives; a psychologist, appointed by the majority leader of the House of Representatives; and an injury prevention representative, appointed by the minority leader of the House of Representatives. A majority of the panel may select not more than three additional temporary members with particular expertise or interest to serve on the panel. Such temporary members shall have the same duties and powers as the permanent members of the panel. The chairperson shall be elected from among the panel's permanent members. The panel shall, to the greatest extent possible, reflect the ethnic, cultural and geographic diversity of the state.

- (c) The panel shall review the circumstances of the death of a child placed in out-of-home care or whose death was due to unexpected or unexplained causes to facilitate development of prevention strategies to address identified trends and patterns of risk and to improve coordination of services for children and families in the state. Members of the panel shall not be compensated for their services, but may be reimbursed for necessary expenses incurred in the performance of their duties.
- (d) On or before January 1, 2000, and annually thereafter, the panel shall issue an annual report which shall include its findings and recommendations to the Governor and the General Assembly on its review of child fatalities for the preceding year.
- (e) Upon request of two-thirds of the members of the panel and

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within available appropriations, the Governor, the General Assembly or at the Child Advocate's discretion, the Child Advocate shall conduct an in-depth investigation and review and issue a report with recommendations on the death or critical incident of a child. The report shall be submitted to the Governor, the General Assembly and the commissioner of any state agency cited in the report and shall be made available to the general public.

- 247 (f) Any state agency cited in a report issued by the Office of the 248 Child Advocate, pursuant to the Child Advocate's responsibilities 249 under this section, shall submit a written response to the report and 250 recommendations made in the report to the Office of the Child 251 Advocate and, in the case of a report pursuant to subsection (e) of this 252 section, to the child fatality review panel not later than sixty days after 253 the receipt of such report and recommendations. The agency shall also 254 submit a copy of such response to the Governor and the General 255 Assembly. The response shall include, but not be limited to: (1) 256 Proposed corrective actions to address identified problems; and (2) a 257 time frame for implementation of improvements.
  - [(f)] (g) The Chief Medical Examiner shall provide timely notice to the Child Advocate and to the chairperson of the child fatality review panel of the death of any child that is to be investigated pursuant to section 19a-406.
- [(g)] (h) Any agency having responsibility for the custody or care of children shall provide timely notice to the Child Advocate and the chairperson of the child fatality review panel of the death of a child or a critical incident involving a child in its custody or care.
- Sec. 6. Section 17a-4 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):
  - (a) There shall be a State Advisory Council on Children and Families which shall consist of seventeen members appointed by the Governor, including at least five persons who are child care professionals, two persons aged eighteen to twenty-five, inclusive,

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served by the Department of Children and Families, one child psychiatrist licensed to practice medicine in this state and at least one attorney who has expertise in legal issues related to children and vouth. The balance of the advisory council shall be representative of young persons, parents and others interested in the delivery of services to children and youths, including child protection, behavioral health, juvenile justice and prevention services. No less than fifty per cent of the council's members shall be parents or family members of children who have received, or are receiving, behavioral health services, child welfare services or juvenile services and no more than half the members of the council shall be persons who receive income from a private practice or any public or private agency that delivers mental health, substance abuse, child abuse prevention and treatment, child welfare services or juvenile services. Members of the council shall serve without compensation, except for necessary expenses incurred in the performance of their duties. The department shall provide the council with funding to facilitate the participation of those members representing families and youth, as well as for other administrative support services. Members shall serve on the council for terms of two years each and no member shall serve for more than two consecutive terms. The commissioner shall be an ex-officio member of the council without vote and shall attend its meetings. Any member who fails to attend three consecutive meetings or fifty per cent of all meetings during any calendar year shall be deemed to have resigned. The council shall elect a chairperson and vice-chairperson to act in the chairperson's absence.

(b) The council shall meet quarterly, and more often upon the call of the chair or a majority of the members. The council's meetings shall be held at locations that facilitate participation by members of the public, and its agenda and minutes shall be posted on the department's web site. A majority of the members in office, but not less than six members, shall constitute a quorum. The council shall have complete access to all records of the institutions and facilities of the department in furtherance of its duties, while at all times protecting the right of privacy of all individuals involved, as provided in section 17a-28 of the

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2008 supplement to the general statutes.

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308 (c) The duties of the council shall be to: (1) Recommend to the 309 commissioner programs, legislation or other matters which will 310 improve services for children and youths, including behavioral health 311 services; (2) annually review and advise the commissioner regarding 312 the proposed budget; (3) interpret to the community at large the 313 policies, duties and programs of the department; [and] (4) issue any 314 reports it deems necessary to the Governor and the Commissioner of 315 Children and Families; (5) establish a committee, in accordance with 316 this subdivision, to fulfill the state's mental health planning and 317 advisory council responsibilities under Public Laws 99-660, 101-639 318 and 102-321. The committee shall be appointed by the chairperson of 319 the council and shall consist of individuals who are knowledgeable 320 about issues relative to children and youth in need of behavioral health services and family supports, including, but not limited to, parents and 321 322 guardians of children and youth with behavioral health needs; (6) 323 assist in the development of and review and comment on the strategic plan developed by the department, pursuant to subsection (b) of 324 325 section 17a-3, as amended by this act; (7) receive on a quarterly basis 326 from the commissioner a status report on the department's progress in carrying out the strategic plan; (8) independently monitor the 327 328 department's progress in achieving its goals as expressed in the 329 strategic plan; and (9) offer assistance and provide an outside 330 perspective to the department so that it may be able to achieve the 331 goals expressed in the strategic plan.

- Sec. 7. Section 17a-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):
- As used in sections 17a-1 to 17a-26, inclusive, <u>as amended by this</u>
  act, 17a-28 to 17a-49, inclusive, 17a-127 and 46b-120 <u>of the 2008</u>
  supplement to the general statutes, unless otherwise provided in said
  sections:
- 338 (1) "Commissioner" means the Commissioner of Children and 339 Families;

340 (2) "Council" means the State Advisory Council on Children and 341 Families;

- [(3) "Advisory committee" means the Children's Behavioral Health Advisory Committee to the council;
- [(4)] (3) "Department" means the Department of Children and Families;
- [(5)] (4) "Child" means any person under sixteen years of age;
- [(6)] (5) "Youth" means any person at least sixteen years of age and under nineteen years of age;
- [(7)] (6) "Delinquent child" shall have the meaning ascribed thereto in section 46b-120 of the 2008 supplement to the general statutes;
- [(8)] (7) "Child or youth with behavioral health needs" means a child or youth who is suffering from one or more mental disorders as defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders";
  - [(9)] (8) "Individual service plan" means a written plan to access specialized, coordinated and integrated care for a child or youth with complex behavioral health service needs that is designed to meet the needs of the child or youth and his or her family and may include, when appropriate (A) an assessment of the individual needs of the child or youth, (B) an identification of service needs, (C) an identification of services that are currently being provided, (D) an identification of opportunities for full participation by parents or emancipated minors, (E) a reintegration plan when an out-of-home placement is made or recommended, (F) an identification of criteria for evaluating the effectiveness and appropriateness of such plan, and (G) coordination of the individual service plan with any educational services provided to the child or youth. The plan shall be subject to review at least every six months or upon reasonable request by the parent based on a changed circumstance, and be approved, in writing, by the parents, guardian of a child or youth and emancipated minors;

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[(10)] (9) "Family" means a child or youth with behavioral health needs and (A) one or more biological or adoptive parents, except for a parent whose parental rights have been terminated, (B) one or more persons to whom legal custody or guardianship has been given, or (C) one or more adults who have a primary responsibility for providing continuous care to such child or youth;

- [(11)] (10) "Parent" means a biological or adoptive parent, except a parent whose parental rights have been terminated;
- [(12)] (11) "Guardian" means a person who has a judicially created relationship between a child or youth and such person that is intended to be permanent and self-sustaining as evidenced by the transfer to such person of the following parental rights with respect to the child or youth: (A) The obligation of care and control; (B) the authority to make major decisions affecting the child's or youth's welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment; (C) the obligation of protection of the child or youth; (D) the obligation to provide access to education; and (E) custody of the child or youth;
  - [(13)] (12) "Serious emotional disturbance" and "seriously emotionally disturbed" means, with regard to a child or youth, that the child or youth (A) has a range of diagnosable mental, behavioral or emotional disorders of sufficient duration to meet diagnostic criteria specified in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders", and (B) exhibits behaviors that substantially interfere with or limit the child's or youth's ability to function in the family, school or community and are not a temporary response to a stressful situation;
  - [(14)] (13) "Child or youth with complex behavioral health service needs" means a child or youth with behavioral health needs who needs specialized, coordinated behavioral health services;
- 402 [(15)] (14) "Transition services" means services in the areas of

education, employment, housing and community living designed to 404 assist a youth with a serious emotional disturbance who is 405 transitioning into adulthood; and

- [(16)] (15) "Community collaborative" means a local consortium of public and private health care providers, parents and guardians of children with behavioral health needs and service and education agencies that have organized to develop coordinated comprehensive community resources for children or youths with complex behavioral health service needs and their families in accordance with principles and goals of Connecticut Community KidCare.
- Sec. 8. Subsection (a) of section 17a-22b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2008):
- 416 community collaborative shall, within Each available 417 appropriations, (1) complete a local needs assessment which shall 418 include objectives and performance measures, (2) specify the number 419 of children and youths requiring behavioral health services, and (3) 420 specify the number of children and youths actually receiving 421 community-based and residential services and the type and frequency 422 of such services. [, and (4) complete an annual self-evaluation process 423 and a review of discharge summaries.] Each community collaborative 424 shall submit its local needs assessment to the Commissioner of 425 Children and Families and the Commissioner of Social Services.
- Sec. 9. Section 17a-145 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2008):
- No person or entity shall care for or board a child without a license obtained from the Commissioner of Children and Families, except: (1)
  When a child has been placed by a person or entity holding a license from the commissioner; (2) any residential educational institution exempted by the state Board of Education under the provisions of section 17a-152; (3) residential facilities licensed by the Department of

Developmental Services pursuant to section 17a-227 of the 2008 supplement to the general statutes; (4) facilities providing child day care services, as defined in section 19a-77 of the 2008 supplement to the general statutes; or (5) any home that houses students participating in a program described in subparagraph (B) of subdivision (8) of section 10a-29. The person or entity seeking a child-care facility license shall file with the commissioner an application for a license, in such form as the commissioner furnishes, stating the location where it is proposed to care for such child, the number of children to be cared for, in the case of a corporation, the purpose of the corporation and the names of its chief officers and of the actual person responsible for the child. The Commissioner of Children and Families is authorized to fix the maximum number of children to be boarded and cared for in any such home or institution or by any person or entity licensed by the commissioner. [Each person or entity holding a license under the provisions of this section shall file annually, with the commissioner, a report stating the number of children received and removed during the year, the number of deaths and the causes of death, the average cost of support per capita and such other data as the commissioner may prescribe.] If the population served at any facility, institution or home operated by any person or entity licensed under this section changes after such license is issued, such person or entity shall file a new license application with the commissioner, and the commissioner shall notify the chief executive officer of the municipality in which the facility is located of such new license application, except that no confidential client information may be disclosed.

Sec. 10. Section 17a-37 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) The Commissioner of Children and Families shall establish a school district within the Department of Children and Families, for the education or assistance of any child or youth who resides in or receives day treatment at any state-operated institution or facility within that department and whose needs require that his education be provided within the institution in which he resides or at which he receives day

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treatment. The school district shall be known as State of Connecticut-Unified School District #2. The Commissioner of Children and Families shall administer, coordinate and control the operations of the school district and shall be responsible for the overall supervision and direction of all courses and activities of the school district and shall establish such vocational and academic education, research and statistics, training and development services and programs as he considers necessary or advisable in the best interests of the persons benefiting therefrom. The commissioner or his designee shall be the superintendent of said district and shall act in accordance with the applicable provisions of section 10-157 of the 2008 supplement to the general statutes.

(b) The superintendent of the school district shall have the power to (1) establish and maintain within the Department of Children and Families such schools of different grades as he may from time to time require and deem necessary; (2) establish and maintain within the department such school libraries as may from time to time be required in connection with the educational courses, services and programs authorized by this section; (3) purchase, receive, hold and convey personal property for school purposes and equip and supply such schools with necessary furniture and other appendages; (4) make agreements and regulations for the establishing and conducting of the district's schools and employ and dismiss, in accordance with the applicable provisions of section 10-151, such teachers as are necessary to carry out the intent of this section and to pay their salaries; (5) receive any federal funds or aid made available to the state for such programs and shall be eligible for and may receive any other funds or aid whether private, state or otherwise, to be used for the purposes of this section.

(c) The superintendent of the school district may cooperate with the federal government in carrying out the purposes of any federal law pertaining to the education of students within his school district, and may adopt such methods of administration as are found by the federal government to be necessary, and may comply with such conditions as

503 may be necessary to secure the full benefit of all such federal funds 504 available.

- 505 (d) The Commissioner of Children and Families shall annually 506 evaluate the progress and accomplishments of the school district 507 established in accordance with subsection (a) of this section. Said 508 commissioner shall submit annual evaluation reports to the 509 Commissioner of Education in order to apprise the State Board of 510 Education of the true condition, progress and needs of said school 511 district. Said commissioner shall follow procedures adopted by the 512 Commissioner of Education in preparation of annual evaluation 513 reports.]
- Sec. 11. Section 17a-22c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):
- 516 (a) The Commissioner of Children and Families and the 517 Commissioner of Social Services shall establish performance measures 518 in the areas of finance, administration, utilization, client satisfaction, 519 quality and access for Connecticut Community KidCare.
  - (b) The Commissioner of Children and Families shall develop and implement, within available appropriations, culturally appropriate and competency-based curricula including best practices for the care of children and youths with, or at risk of, behavioral health needs and offer training to all willing persons involved in Connecticut Community KidCare, including, but not limited to, employees in education and child care and appropriate employees within the judicial system.
  - [(c) The Commissioners of Children and Families and Social Services shall, within available appropriations, design and conduct a five-year independent longitudinal evaluation with evaluation goals and methods utilizing an independent evaluator. The evaluation shall assess changes in outcomes for individual children, youths and families, evaluate the effectiveness of the overall initiative in the early phases to guide future expansion of Connecticut Community KidCare

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and examine benefits, costs and cost avoidance achieved by it. Such evaluation may include, but is not limited to, the following: (1) Utilization of out-of-home placements; (2) adherence to system of care principles; (3) school attendance; (4) delinquency recidivism rates; (5) satisfaction of families and children and youths with Connecticut Community KidCare as assessed through client satisfaction surveys; (6) coordination of Connecticut Community KidCare with the juvenile justice, child protection, adult behavioral health and education systems; and (7) the quality of transition services.]

- Sec. 12. (NEW) (Effective October 1, 2008) (a) The Commissioner of Children and Families and the Chief Court Administrator shall establish, within available appropriations, a pilot program to integrate the initial written plan for care, treatment and permanent placement of children and youth required under section 17a-15 of the general statutes, with the specific steps for family reunification ordered by the court pursuant to subsection (j) of section 46b-129 of the 2008 supplement to the general statutes. The Commissioner of Children and Families, in consultation with said Chief Court Administrator, shall designate one Department of Children and Families area office to participate in the pilot program. The pilot program shall terminate not later than October 1, 2010.
- (b) A court services officer of the court participating in the pilot program shall be responsible for convening a meeting to promptly develop the initial treatment plan and proposed specific steps for the child and family, and shall invite the parents or guardians, the child or youth, when appropriate, and their respective attorneys, department staff responsible for developing and implementing treatment plans, and individuals involved in assessing needs and providing services for the child and family. Whenever possible, such meetings shall be convened at times and held in places that maximize the likelihood that children, youth and their parents or guardians will be able to attend.
- (c) Following the meeting, the court shall order specific steps that the parent must take to facilitate the return of the child or youth to the

custody of such parent. In addition to satisfying the requirements set forth in subsection (a) of section 17a-15 of the general statutes for the Department of Children and Families' written plan for the care, treatment and permanent placement of every child under the commissioner's supervision, the plan shall also include, but not be limited to: (1) Assessment of the health and welfare of the child or youth; (2) an evaluation of the problems and strengths of each child or youth; (3) the proposed plan of treatment services and temporary placement, and a goal for permanent placement of the child or youth; and (4) specific planning goals and clear, comprehensive, timesensitive action steps for educational and behavioral health needs.

- (d) The Commissioner of Children and Families and the Chief Court Administrator shall report, in accordance with section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to human services and judiciary and the select committee of the General Assembly having cognizance of matters relating to children not later than February 1, 2011, concerning the results of such pilot program. The report shall include an independent assessment of the impact of the pilot program on the quality of initial written treatment plans, consistency between initial treatment plans and specific steps, and participation of parents or guardians, the child or youth, when appropriate, and their respective attorneys, department staff responsible for developing and implementing initial treatment plans, and individuals involved in assessing needs and providing services for the child or youth and his or her family. The report shall also include a recommendation on whether the program should be expanded state-wide.
- Sec. 13. Subsection (b) of section 17a-450a of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):
  - (b) The Department of Mental Health and Addiction Services shall constitute a successor department to the addiction services component of the Department of Public Health and Addiction Services. Whenever

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601 the words "Commissioner of Public Health and Addiction Services" are 602 used or referred to in the following general statutes, the words "Commissioner of Mental Health and Addiction Services" shall be 603 604 substituted in lieu thereof and whenever the words "Department of Public Health and Addiction Services" are used or referred to in the 605 606 following general statutes, the words "Department of Mental Health 607 and Addiction Services" shall be substituted in lieu thereof: 4a-12 of the 2008 supplement to the general statutes, [17a-3,] 17a-465a, 17a-670 608 609 to 17a-676, inclusive, 17a-678 to 17a-682, inclusive, 17a-684 to 17a-687, 610 inclusive, 17a-691, 17a-694, 17a-710, 17a-712, 17a-713 19a-89c, 20-74o, 611 20-74p, 20-74q, 21a-274a, 54-36i and 54-56g of the 2008 supplement to 612 the general statutes.

- Sec. 14. Subsection (b) of section 17a-210c of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):
- (b) Whenever the term "Commissioner of Mental Retardation" is 616 617 used or referred to in the following sections of the general statutes, the 618 term "Commissioner of Developmental Services" shall be substituted 619 in lieu thereof: 4-5 of the 2008 supplement to the general statutes, 4b-3 620 of the 2008 supplement to the general statutes, 4b-23 of the 2008 621 supplement to the general statutes, 8-3e of the 2008 supplement to the 622 general statutes, 10-76i of the 2008 supplement to the general statutes, 623 [17a-4a,] 17a-22a of the 2008 supplement to the general statutes, 17a-210 of the 2008 supplement to the general statutes, 17a-212, 17a-212a of 624 the 2008 supplement to the general statutes, 17a-214 of the 2008 625 626 supplement to the general statutes, 17a-215a of the 2008 supplement to 627 the general statutes, 17a-215b of the 2008 supplement to the general 628 statutes, 17a-217a of the 2008 supplement to the general statutes, 17a-629 218 of the 2008 supplement to the general statutes, 17a-218a of the 2008 630 supplement to the general statutes, 17a-225 of the 2008 supplement to the general statutes, 17a-226 of the 2008 supplement to the general 631 632 statutes, 17a-227a of the 2008 supplement to the general statutes, 17a-228 of the 2008 supplement to the general statutes, 17a-229 of the 2008 633 634 supplement to the general statutes, 17a-230 of the 2008 supplement to

the general statutes, 17a-232 of the 2008 supplement to the general 635 636 statutes, 17a-238 of the 2008 supplement to the general statutes, 17a-240 of the 2008 supplement to the general statutes, 17a-241 of the 2008 637 supplement to the general statutes, 17a-242 of the 2008 supplement to 638 639 the general statutes, 17a-244 of the 2008 supplement to the general 640 statutes, 17a-246 of the 2008 supplement to the general statutes, 17a-641 247a of the 2008 supplement to the general statutes, 17a-248 of the 2008 642 supplement to the general statutes, 17a-270 of the 2008 supplement to the general statutes, 17a-272 of the 2008 supplement to the general 643 644 statutes, 17a-273 of the 2008 supplement to the general statutes, 17a-645 274 of the 2008 supplement to the general statutes, 17a-276 of the 2008 supplement to the general statutes, 17a-277 of the 2008 supplement to 646 647 the general statutes, 17a-281 of the 2008 supplement to the general statutes, 17a-282 of the 2008 supplement to the general statutes, 17a-648 649 582 of the 2008 supplement to the general statutes, 17a-584 of the 2008 650 supplement to the general statutes, 17a-586 of the 2008 supplement to 651 the general statutes, 17a-587 of the 2008 supplement to the general statutes, 17a-588 of the 2008 supplement to the general statutes, 17a-652 592 of the 2008 supplement to the general statutes, 17a-593 of the 2008 653 supplement to the general statutes, 17a-594 of the 2008 supplement to 654 655 the general statutes, 17a-596 of the 2008 supplement to the general statutes, 17a-599 of the 2008 supplement to the general statutes, 17b-656 28a of the 2008 supplement to the general statutes, 17b-244 of the 2008 657 658 supplement to the general statutes, 17b-244a of the 2008 supplement to 659 the general statutes, 17b-337 of the 2008 supplement to the general statutes, 17b-340 of the 2008 supplement to the general statutes, 17b-660 492b of the 2008 supplement to the general statutes, 19a-24 of the 2008 661 662 supplement to the general statutes, 19a-411 of the 2008 supplement to the general statutes, 19a-580d of the 2008 supplement to the general 663 statutes, 20-14j of the 2008 supplement to the general statutes, 20-571 of 664 the 2008 supplement to the general statutes, 45a-670 of the 2008 665 supplement to the general statutes, 45a-674 of the 2008 supplement to 666 667 the general statutes, 45a-676 of the 2008 supplement to the general statutes, 45a-677 of the 2008 supplement to the general statutes, 45a-668 669 681 of the 2008 supplement to the general statutes, 45a-682 of the 2008

supplement to the general statutes, 45a-692 of the 2008 supplement to the general statutes, 46a-11a of the 2008 supplement to the general statutes, 46a-11f of the 2008 supplement to the general statutes, 46a-11f of the 2008 supplement to the general statutes, 54-56d of the 2008 supplement to the general statutes, 54-56d of the 2008 supplement to the general statutes, 54-102g of the 2008 supplement to the general statutes and 54-102h of the 2008 supplement to the general statutes.

Sec. 15. (*Effective July 1, 2008*) Sections 17a-4a, 17a-6b, 17a-6c, 17a-21,
17a-91a, 17a-116b and 46b-121m of the general statutes are repealed.

This act shall take effect as follows and shall amend the following				
sections:				
Section 1	July 1, 2008	17a-3		
Sec. 2	July 1, 2008	17a-6(b)		
Sec. 3	July 1, 2008	New section		
Sec. 4	July 1, 2008	17a-27f		
Sec. 5	July 1, 2008	46a-13 <i>l</i>		
Sec. 6	July 1, 2008	17a-4		
Sec. 7	July 1, 2008	17a-1		
Sec. 8	July 1, 2008	17a-22b(a)		
Sec. 9	July 1, 2008	17a-145		
Sec. 10	July 1, 2008	17a-37		
Sec. 11	July 1, 2008	17a-22c		
Sec. 12	October 1, 2008	New section		
Sec. 13	July 1, 2008	17a-450a(b)		
Sec. 14	July 1, 2008	17a-210c(b)		
Sec. 15	July 1, 2008	Repealer section		

PRI Joint Favorable Subst. C/R HS

**HS** Joint Favorable

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

#### **OFA Fiscal Note**

#### State Impact:

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Children & Families, Dept.	GF - Cost	See Below	See Below
Children & Families, Dept.;	GF - Cost	See Below	See Below
Judicial Department			

Note: GF=General Fund

#### **Municipal Impact:** None

#### Explanation

Section 1 would require that an external evaluation be conducted of any new program, service or facility developed after 7/1/08 by the Department of Children and Families (DCF) that exceeds a cost of \$20 million per fiscal year. To the extent that the agency would not otherwise conduct such an evaluation, this may result in future increased costs to the state at any time when a program of this magnitude is created. At this time, no new program meeting this cost threshold is anticipated. A comprehensive evaluation of a large scale program would be expected to cost at least \$200,000.

Sections 1-3, 6-11, and 13-15 make numerous substantive and technical changes related to: (a) DCF's planning efforts; (b) the structure and role of advisory councils to the Commissioner of Children and Families; and (c) various reporting mandates involving DCF. Taken as a whole, these changes can be accommodated within the department's normally budgeted resources.

Section 4 repeals a public safety committee in Middletown. Representatives of the Middletown School Board may experience a workload reduction to the extent that they would no longer have to participate in meetings. This section also makes a technical change.

Section 5 requires any state agency cited in an official report issued by the Office of the Child Advocate (OCA) to submit a written response within 60 days after it receives the report. These provisions will not result in a fiscal impact to OCA or other state agencies.

Section 12 establishes a pilot program (which would expire no later than October 1, 2010) at one court location to combine the first treatment plan meeting, which is usually held at a DCF area office, with the initial case status conference in a pending neglect case, which is held at a courthouse. Under the bill, a court services officer must convene these meetings. Consolidation of these conferences will result in no fiscal impact to either agency.

The bill requires an independent assessment of the impact of the pilot program to be included within a report to be submitted by 2/1/11. Actual costs of retaining an outside entity to complete this work would depend upon the number of cases examined and the scope of the review, which cannot be determined in advance. However, a study of moderate scope would be anticipated to cost about \$25,000. It is unknown how these costs would be divided amongst the two agencies.

#### The Out Years

The potential cost associated with ensuring that an evaluation is done of any new program exceeding \$20 million would continue in future years subject to inflation.

# OLR Bill Analysis sSB 174

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES.

#### **SUMMARY:**

This bill:

- 1. requires the Department of Children and Families (DCF) to develop and regularly update a single, comprehensive, strategic plan;
- 2. expands the authority and oversight of the State Advisory Council on Children and Families with respect to DCF programs and services;
- 3. requires, rather than allows, DCF to establish advisory groups for each facility it operates (i.e., Connecticut Children's Place, the Connecticut Juvenile Training School (CJTS), High Meadows, Riverview Hospital, and the Wilderness School) and provide them administrative staff;
- 4. requires DCF to obtain an external evaluation that analyzes and assesses the outcomes of any program, service, or facility it establishes on or after July 1, 2008 whose funding exceeds \$20 million in a single fiscal year; and
- 5. directs DCF and the juvenile court to establish a pilot program to integrate DCF's treatment plan for abused and neglected children with the court's orders concerning specific steps their parents must take in order to regain custody.

The bill also eliminates several reporting requirements, advisory councils, and committees.

EFFECTIVE DATE: July 1, 2008, except for the DCF-juvenile court pilot program provisions, which are effective October 1, 2008.

#### § 1 — STRATEGIC PLAN

The bill eliminates a requirement that DCF submit to the legislature a five-year master plan every two years. Instead, with the assistance of the State Advisory Council on Children and Families (SAC), it must develop and regularly update a single, strategic plan for meeting the needs of the children and families it serves. In developing and updating the plan, DCF must identify and define agency goals and indicators of progress in achieving them, including benchmarks.

The plan must include:

- 1. a mission statement;
- 2. the expected results in each of its mandated areas of responsibility (i.e., child welfare, juvenile justice, children's mental health and substance abuse services, and child abuse and neglect prevention);
- a schedule of action steps for achieving the expected results and fulfilling its mission that includes strategies for working with other state agencies to leverage resources and coordinate service delivery;
- 4. priorities for services and estimates of funding and other resource needs to implement them;
- 5. program and service standards that are modeled on research-based best practices, when available; and
- 6. relevant performance measures.

The bill requires DCF to begin the strategic planning process on July

1, 2008. It directs the department to consult with representatives of children and families it serves, advocates, and others interested in child well-being when developing and updating the plan.

DCF must hold regional meetings to ensure the public has input on the plan's contents; it must post the plan, updates, and progress reports on its website. Before submitting the plan to the legislature and governor, which must occur by July 1, 2009, DCF must submit it for review and comment to SAC.

#### **Progress Reports**

Under the bill, the DCF commissioner must track progress in achieving the plan's goals and file quarterly reports with SAC beginning October 1, 2009. She must submit annual progress reports to the legislature and governor beginning July 1, 2010.

#### § 6 — STATE ADVISORY COUNCIL ON CHILDREN AND FAMILIES

By law, SAC makes recommendations to DCF about programs, legislation, and other matters to improve services; annually advises the commissioner on her proposed budget; explains DCF's policies, duties, and programs to the public; and issues reports to the governor and commissioner on an as-needed basis. Nine of its 17 members are parents or relatives of children receiving, or who have received, DCF services; five are child-care professionals; one is an attorney; and one is a child psychiatrist. The governor appoints members to two-year terms and may reappoint them once. The DCF commissioner is an ex officio council member.

The bill adds two members aged 18 to 25 who have received or are receiving DCF services. It is unclear how this can be implemented, as 16 of the 17 members must have other statutory qualifications.

It also requires that the designated attorney member have expertise in children's legal issues. And it requires DCF to give SAC funding to facilitate the participation of the family and youth members and for administrative support services.

The bill requires the council to hold its meetings at locations that facilitate public participation. DCF must post the council agenda and minutes on its web site.

#### **New Duties**

The bill assigns SAC the following new duties:

- 1. establishing a committee to fulfill the state's mental health planning and advisory council responsibilities under various federal laws,
- 2. assisting DCF in developing its strategic plan and reviewing and commenting on it before the department issues its report to the legislature and governor,
- 3. receiving quarterly reports from the commissioner concerning the department's progress in carrying out the strategic plan,
- 4. independently monitoring the department's progress in achieving the strategic plan's goals, and
- 5. offering the department assistance and providing it an outside perspective so that it may be able to achieve its goals.

The bill also gives the council express authority to recommend to the commissioner programs, legislation, or other matters concerning behavioral health services for children and youth. And it eliminates the council's Children's Behavioral Health Advisory Committee which is composed of 24 public members who must fairly and adequately represent parents of children who have a serious emotional disturbance and eight state agency representatives. Currently, the committee provides SAC with (1) annual status reports on local systems of care and practice standards for state-funded children's behavioral health programs and (2) biennial recommendations concerning the provision of behavioral health services to Connecticut children.

#### § 3 — FACILITY REPORTS TO SAC AND ADVISORY GROUPS

The bill requires each DCF facility to submit an annual report to SAC and its advisory group. The report must include:

- 1. aggregate profiles of residents;
- 2. descriptions of, and updates on, major initiatives;
- 3. key outcome indicators and results;
- 4. its operating costs; and
- 5. descriptions of its (a) educational, vocational, and literacy programs and (b) behavioral, treatment, and other services for residents and their outcomes.

DCF must post these reports on its website. The bill directs the advisory groups to respond to their facility's annual report and provide recommendations for improvements that they deem necessary.

#### § 12 — DCF-JUVENILE COURT PILOT PROGRAM

The bill directs the DCF commissioner and Judicial Branch's chief court administrator to establish a pilot program to integrate (1) the department's initial plan for care, treatment, and permanent placement of children who have been removed from their homes due to allegations of abuse and neglect with (2) the juvenile court's orders directing their parents to take specific steps to get their children back. The commissioner must consult with the chief court administrator to designate one DCF area office to participate in the pilot program. The program must be administered within appropriations and must end by October 1, 2010.

#### **Procedure**

Under the bill, a Judicial Branch court support services officer must convene a meeting to promptly develop the initial treatment plan and specific steps for the child and family. The officer must invite the parents or guardians, child or youth, and respective attorneys; DCF staff responsible for developing and implementing treatment plans;

and people involved in assessing the child or youth's and family's needs and providing services. Whenever possible, meetings should be scheduled and held in places that maximize the likelihood that the youngsters and families will be able to attend.

After the meeting, the court must issue an order identifying the specific steps that the parent must take to facilitate regaining custody. DCF's written treatment plan for the child or youth must include a diagnosis of the child's problems, proposed treatment services, and temporary and permanent placement goals (these are already required by law) as well as:

- 1. an assessment of the child or youth's health and welfare;
- 2. an evaluation of his or her problems and strengths; and
- 3. specific planning goals and clear, comprehensive, time-sensitive action steps for meeting educational and behavioral health needs.

#### Reporting

The DCF commissioner and Judicial Branch chief court administrator must report on the pilot program's results to the Children's, Human Services, and Judiciary committees by February 1, 2011. The report must include a recommendation on whether the program should be expanded state-wide.

It must also include an independent assessment of the program's impact on:

- 1. the quality of DCF's initial written treatment plans;
- 2. consistency between treatment plans and the contents of the court's specific steps orders; and
- 3. participation by parents and guardians, children and youth, and their respective attorneys; DCF staff responsible for treatment planning; and people providing assessments and services.

## § 5 — STATE AGENCY RESPONSES TO CHILD ADVOCATE REPORTS

The bill requires any state agency cited in an official report issued by the child advocate to submit a written response to the child advocate within 60 days after it receives the report. If the report is the product of the child advocate's in-depth investigation into the death or a critical incident of a child, the agency must also send copies of its response to the Child Fatality Review Panel, the governor, and the legislature. Agency responses must include proposed corrective actions to address identified problems and a time frame for implementing improvements.

### §§ 10, 11, & 13-15 — ELIMINATING REPORTS AND ADOPTION ADVISORY COMMITTEE

The bill eliminates obsolete reporting statutes and the following mandated reports:

- 1. annual self-evaluations by community collaboratives participating in Connecticut KidCare, the state's child behavioral health program;
- 2. CJTS advisory group ongoing reviews and DCF annual reports on their findings and recommendations;
- 3. annual child care facility reports from DCF- or Department of Developmental Services licensees;
- 4. annual DCF reports containing delinquency statistics and new facility plans;
- 5. annual performance reports on DCF's Unified School District #2;
- 6. quarterly reports from hospitals to DCF concerning psychiatric services provided to children; and
- 7. DCF's monthly reports to the Public Health and Human Services committees concerning hospitalized children receiving subacute psychiatric care due to a lack of community-based services.

The bill also eliminates an advisory committee that studies and makes annual reports to DCF on programs to promote adoption of minority and hard-to-place foster children and a committee that is currently required to make quarterly reviews of safety and security issues at CJTS that affect Middletown.

#### **COMMITTEE ACTION**

Program Review and Investigations Committee

Joint Favorable Substitute Change of Reference Yea 9 Nay 0 (03/06/2008)

**Human Services Committee** 

Joint Favorable Yea 18 Nay 0 (03/18/2008)